

### **EXAMINER'S AMENDMENT**

Claims 25-31 and 21 are allowed.

An Examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this Examiner's amendment was given in a telephone interview with Attorney Stephen B. Macbius on 9 July 2009.

The application has been amended as follows:

1. Delete claims 1-14 and 22-24

### **REASONS FOR ALLOWANCE**

The following is an Examiner's statement of reasons for allowance: Claims 25-31 and 21 are allowed. None of the prior art, either alone or in combination, teaches or suggests all of the elements in the claims. As explained above, Esumi does not teach the alkynyloxy in the group A position. Additionally, one of skill in the art would not have easily conceived of substituting an alkynyloxy for a p-hydroxy-phenyl group. For these reasons, Esumi does not anticipate or render the claims obvious. Furthermore, the Office has not given a reason for one of skill in the art to substitute an alkynyloxy group for the p-hydroxy- phenyl group of viridiofungin A. As such, applicants request reconsideration and withdrawal of the rejection.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to TIMOTHY E. BETTON whose telephone number is (571)272-9922. The Examiner can normally be reached on Monday-Friday 8:30a - 5:00p.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiners' supervisor, Sreeni Padmanabhan can be reached on (571) 272-0629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TEB

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